IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.320 OF 2006

Niwas Spinning Mills Limited .. Petitioner.

V/s.

Sanjay M. Munot & Others .. Respondents.

Mr.S.S. Kanetkar for the petitioner.

Mr.Prabhakar Jadhav for respondent No.4.

CORAM : J.P. DEVADHAR, J.

DATED : 11TH JULY, 2007.

P.C. :

1. This petition is filed to challenge the order dated 1st August, 2005 passed by the IVth Adhoc Additional District Judge, Solapur whereby Special Civil Suit No.125 of 1998 filed by the petitioner has been stayed and the parties have been directed to take steps to refer the dispute to the arbitration.

2. The main grievance of the petitioner is that although there is an arbitration clause in the underwriting agreement dated 27th march, 1995 entered into by and between the Petitioner and the Respondent No.4 for referring the dispute to the Arbitration Committee appointed by the Regional Stock Exchange, the Regional Stock Exchange has informed that there is no such Committee existing.

3. Today, Mr.Prabhakar Jadhav, learned counsel appearing on behalf of Respondent No.4, Pune Stock Exchange Limited has furnished a list consisting of members of the Arbitration Committee.

4. In this view of the matter, it will be open to the petitioner to pursue the remedy before the Arbitration Committee of Respondent No.4.

5. Accordingly, the petition is dismissed with no order as to costs.

(J.P. DEVADHAR, J.)